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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,176	03/01/2005	Amjad Mohmood Mohammed	WW/3-22336/PCT	8338

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EXAMINER

HRUSKOCI, PETER A

ART UNIT	PAPER NUMBER
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1724

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/526,176	Applicant(s) MOHAMMED ET AL.	
	Examiner Peter A. Hruskoci	Art Unit 1724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2007 and 23 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 11-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-20 are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions, which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claims 1-10 and 20 drawn to a method.

Group II, claims 11-19, drawn to a composition.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, a special technical feature which these claims share does not define a contribution over the prior art. For example, the claims of Groups I and II share a specific composition as the special technical feature, which is considered to lack novelty or an inventive step in view of Shepperd et al. 5,750,035 (see col. 3 line 39 through col. 7 line 50).

During a telephone conversation with Shiela A. Loggins on 3/13/07 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-10 and 20. Affirmation of this election must be made by applicant in replying to this Office action. Claims 11-19 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

The disclosure is objected to because of the following informalities: In the specification on page 2 “monmer”, and on page 5 “Figure2” are erroneous.

Appropriate correction is required.

Claims 1-10 and 20 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1 “high” and “otherwise entrapped”, and in claim 2 “low” are vague and indefinite because it is unclear how these terms further limit the claims. Claim 1 is considered incomplete because it is essential that the instant method include a step of dewatering the suspension. In claim 6 “an” is erroneous and should be changed to – a -. In claim 10 “the thickened suspension” lacks clear antecedent basis. Claims 3-5, 7-9, and 20 depend from the above claims.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5, 6, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Shepperd et al. 5,750,035. It is submitted that Sheppard et al. disclose (see col. 3 line 39 through col. 7 line 50) a method for dewatering suspensions as recited in the instant claims.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheppard et al. as above, and further in view of Ghafoor et al. 6,001,920. The claims differ from Sheppard et al. by reciting that the coagulant and flocculant have specific IV's. Ghafoor et al. disclose (see col. 2 line 60 through col. 6 line 36) that it is known in the art to utilize cationic coagulant and flocculant polymers having the recited IV's, to aid in treating suspensions. It would have been obvious to one skilled in the art to modify the method of Sheppard et al. by utilizing the recited IV's in view of the teachings of Ghafoor et al., to aid in dewatering the suspension.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheppard et al. as above, and further in view of Le Du et al. 4,565,635. The claim differs from Sheppard et al. by reciting that the composition includes a wetting agent. Le Du et al. disclose (see col. 4 line 67 through col. 6 line 17, and col. 9 line 3 through col. 12 line 42) that it is known in the art to utilize a surfactant or wetting agent in a composition including polymeric and inorganic flocculating agents, to aid in flocculating an aqueous media. It would have been obvious to one skilled in the art to modify the method of Sheppard et al. by utilizing the recited wetting agent in view of the teachings of Le Du et al., to aid in dewatering the suspension.

Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheppard et al. as above, and further in view of Sato et al. 5,776,362. The claims differ from Sheppard et al. by reciting that the suspension is subjected to filtration under pressure, and the inorganic coagulant is polyaluminum chloride. Sato et al. disclose (see col. 2 line 22 through col. 4 line 44, and Application Example 1) that it is known in the art to utilize cationic polymers

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and polyaluminum chloride to aid in filtering sludge under pressure. It would have been obvious to one skilled in the art to modify the method of Sheppard et al. by utilizing the recited filtration and inorganic coagulant view of the teachings of Sato et al., to aid in dewatering the suspension.


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter A. Hruskoci whose telephone number is (571) 272-1160.

The examiner can normally be reached on Monday through Friday from 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Peter A. Hruskoci
Primary Examiner
Art Unit 1724

3/17/07